

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

FIRESTAR DIAMOND, INC. AND FANTASY, INC.,

Debtor.

Case No. 18-10509-shl
White Plains, New York
December 14, 2022
10:19-10:46; 11:19-11:26

- AP: 20-01054-SHL LEVIN VS. JAVERI ET AL, Trustee's Request For Discovery Conference Re Doc 104, order Of Attachment
- AP: 20-01054-SHL LEVIN VS. JAVERI ET AL, Trustee's Request For Discovery Conference Re Doc 122 So ordered Stipulation And order Re: Partial Stay

- A P P E A R A N C E S -

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1 THE COURT: Next up is Firestar Diamond.

2 Particularly, the adversary proceeding 20-01054, Levin v.

3 Javeri, in connection with the trustee's request for a discovery

4 conference. So let me find out who's here on behalf of the

5 plaintiff trustee.

6 MR. WEDOFF: Good morning, Your Honor, Carl Wedoff, on

7 behalf of Richard Levin, Liquidating Trustee for the Firestar

8 Diamond Liquidating Trust. For ease of reference, I will refer

9 to him as the trustee. Also on the Zoom conference is my

10 colleague Angela Allen, in our Chicago office, and William

11 Williams, in Chicago as well.

12 THE COURT: All right. Good to have you here. And

13 then on behalf of the defendants in the adversary proceeding.

14 MR. DAMERON: Good morning, Your Honor. This is Reece

15 Dameron. On behalf of Ami Javeri.

16 THE COURT: All right. Good morning.

17 MR. ROWIN: Good morning, Your Honor.

18 Speaker B: Marc Rowin for defendant Trident Trust,

19 South Dakota.

20 THE COURT: All right. Good morning to you as well.

21 Anyone else? All right. So this conference was scheduled at

22 the trustee's request. I do appreciate the request for a

23 discovery conference, rather than seeing papers first.

24 Discovery, if you let it, can turn into a very inefficient

25 letter-writing campaign. If I remember nothing from my early

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1 years of being an associate, was writing a lot of discovery
2 letters. And so, it's not necessarily the most productive way
3 to do it, regardless of who's right and who's wrong on
4 discovery. So, since it was the trustee's request, I thought
5 maybe we'd start with the trustee to sort of set the stage as to
6 what we need to discuss, and then obviously, I'll canvass the
7 virtual room to hear from everybody. But I did want to start
8 with the notion that, for this, and for all things discovery
9 related, this is definitely the right way to go, which is to
10 schedule a conference. Nobody is waiving their right to brief
11 something if in fact we have something that's worth briefing,
12 privilege issues, or things of that sort, but it's a much more
13 productive way to go. So with that, Mr. Wedoff?

14 MR. WEDOFF: Thank you, Your Honor. And we appreciate
15 Your Honor's indulgence to hear us out here. We requested this
16 discovery conference because of defendant, Ami Javeri's ongoing
17 failure to comply with the trustee's March 7, 2022 document
18 requests. We have engaged in multiple attempts for the better
19 part of a year to resolve this dispute without going before,
20 Your Honor, but regrettably, we have been unable to do so. So,
21 if you'll bear with me, I just would like to walk through the
22 background as we see it.

23 On February 22, this Court entered the first
24 attachment order in this proceeding. And in connection with
25 that attachment order, the order permitted the trustee to

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1 conduct discovery of the defendant's assets. On March 7, the
2 trustee served defendant, Ami Javeri, with requests for
3 production. And we set an April 4 production deadline. In the
4 main, what we were looking for, Your Honor, was information on
5 her bank accounts, corporate and trust entities, any real
6 estate, any personal property worth over \$250,000, transactions
7 with her codefendants and other relevant people in this
8 litigation that exceeded \$250,000, and then additional documents
9 and items pertaining to those above categories.

10 On May 6, 2022, Ms. Javeri executed a stipulation that
11 stayed the attachment proceedings. Not the attachment, the
12 proceedings. And they required Ms. Javeri to complete
13 production of all responsive documents by May 18, 2022. On May
14 19, 2022, and that's after the deadline that was set by the
15 Court, . Ms. Javeri's counsel, Roger Bernstein, sent the
16 trustee a response by email that responded to the document
17 requests very informally. And then that day and the following
18 day, he produced a handful of bank statements and tax returns.
19 But to be clear, Your Honor, these were not responses and
20 objections that you typically see in federal litigation.
21 Basically, they say, for example, Request 7, none. Request 8,
22 N/A. Request 9, she will obtain insurance policies. Request
23 10, none. Request 11, N/A. So, it didn't give us a lot to work
24 with, Your Honor. Nevertheless, we continued to try to work
25 this out consensually. On June 23, 2022, the request --

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1 THE COURT: Let me ask. You don't characterize it as
2 a formal response, but is that an email response, is it a sworn
3 response, is it a document with a signature on it under oath,
4 what does it look like?

5 MR. WEDOFF: Your Honor, it's the body of an email.

6 THE COURT: All right.

7 MR. WEDOFF: It's not even a separate Word or PDF
8 document, it's just an email to my co-counsel, Angela Allen.
9 And it's described as an informal response, to be clear. Mr.
10 Bernstein didn't say --

11 THE COURT: I got it.

12 MR. WEDOFF: June 23rd, we again requested Ms. Javeri
13 promptly produced the remaining documents. Did the same thing
14 on July 19th. And then between late July and early September, we
15 received various additional bank statements. But in connection
16 with those productions, counsel acknowledged that this was just
17 a subset of responsive account statements from Ms. Javeri's
18 accounts at HSBC, JPMorgan Chase, and Wells Fargo. And Ms.
19 Javeri still has not produced all the responsive statements from
20 those accounts.

21 On October 25, 2022, the trustee sent a spreadsheet by
22 email with a detailed list of outstanding documents. The
23 trustee then met and conferred with Ms. Javeri's counsel on
24 October 28, November 11, and November 17. And in each of these
25 meetings, Ms. Javeri's counsel told us that Ms. Javeri was

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1 working to gather and produce additional responsive documents as
2 soon as possible.

3 Lastly, in connection with our second stipulation
4 regarding payment of apartment expenses, which Your Honor
5 entered yesterday, we noticed that Ms. Javeri had been receiving
6 substantial inflows of funds to cover apartment expenses, and we
7 asked where that money was coming from. And we firmly believe
8 that that information is covered by our March 7, 2022 document
9 request. And Ms. Javeri's counsel informed us that that was
10 outside of the ambit of attachment discovery, even though it
11 directly related to a stipulation that would basically come out
12 of attached funds and said that they were not going to produce
13 anything and that we should just deal with the stipulation on a
14 separate path. We said, fine, we submitted the stipulation.
15 But I did want to raise that as another piece of ongoing
16 discovery and just not getting anything.

17 That's the history of our back and forth. And I know
18 courts don't like to hear it, but I do think it's important to
19 show that we have been working on this for a long time. We
20 don't come to the Court lightly. We don't call up and schedule
21 these conferences on a whim. We really tried to avoid this.
22 But just to recap what we have, Ms. Javeri has produced 166
23 documents. 153 of those are bank statements, three are federal
24 tax returns, and ten are apartment related bills. As previously
25 noted, it's only a subset of account statements for certain

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1 accounts. She has not produced any statements for her accounts
2 at FineMark, although we understand that she has collected them.
3 She has produced no statements for non-U.S. accounts. And then,
4 other than these account statements, tax returns, and apartment
5 bills, we have received nothing.

6 So, Ms. Javeri only produced these bills and tax
7 returns before the May 18 deadline. And 118 of the bank
8 statements came on May 19 and May 20. So that was almost seven
9 months ago. And since we first flagged these deficiencies on
10 June 23, we've only received 35 documents, and we've received
11 nothing since early September. So, what we ask, Your Honor to
12 do, and why we are here, are for two things. (A) We understand
13 Ms. Javeri has collected some set of documents. We don't know
14 the number. We don't even know what they are fully, but we have
15 some sense that she has collected documents. We understood that
16 they were going to be produced to us multiple times, but they've
17 never arrived. We would ask that Your Honor direct Ms. Javeri
18 to produce what she has by Monday, December 19. And everything
19 else, all the other deficiencies, and I can pick through them,
20 anything else that's responsive, we ask that she produce it by
21 Friday, January 6. I know the holidays are coming up, but this
22 is not a new request. These issues have been simmering for a
23 long time.

24 THE COURT: All right. Mr. Dameron?

25 MR. DAMERON: Yes. A couple of points. Number one,

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1 this is attachment discovery. The order of attachment does not
2 actually permit discovery into Ms. Javeri's assets. It directs
3 discovery of the assets of the Ithaca Trust defendants, who are
4 defined in the order as Trident CPRE and CPS 50. Ms. Javeri is
5 not one of the Ithaca Trust defendants. So, this discovery was
6 improper from the beginning.

7 Secondarily, the order of attachment directed the
8 attachment and levy of Ms. Javeri's interests in the two
9 apartments at issue in this case, the Essex House apartment and
10 the Ritz Carlton apartment. That levy was completed by
11 direction of the order by serving those papers on Ms. Javeri.
12 Under those circumstances, the trustee is not entitled to any
13 further discovery of Ms. Javeri's assets. They have no need to,
14 because the order has been satisfied.

15 Now, we have offered, Your Honor, to produce documents
16 responsive to the trustee's requests as part of merits
17 discovery. We're happy to do that, but it has to be a two-way
18 street. The trustee refused to engage in any discussion of
19 merits discovery, they refused to provide us search terms that
20 we could use to look through Ms. Javeri's documents, and what we
21 would like is to get this moving forward on merits. And we'd
22 like to have a conference scheduled, so that we can have a
23 pretrial conference and move everything forward.

24 THE COURT: All right. Mr. Rowin, I have some
25 suspicions about where you fit in this particular puzzle, but I

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1 wasn't sure if you wanted to chime in here or let Mr. Wedoff and
2 Mr. Dameron duke it out.

3 MR. ROWIN: I will be a spectator, Your Honor. We
4 have produced documents early in the case, and nobody has
5 objected or claimed that we owe anything else. And obviously,
6 if served with anything, we'll comply.

7 THE COURT: All right, thank you. All right, Mr.
8 Wedoff, any response to Mr. Dameron?

9 MR. WEDOFF: Yes. Your Honor, well, first of all, I
10 would like to agree with Mr. Rowin. And I would like to point
11 out something else about Trident Trust. There is a trust entity
12 called the Frost Trust that we discussed at length during the
13 hearing on our attachment motion. We only learned about that
14 from Mr. Rowin, from Trident Trust, when they produced
15 documents. Ami Javeri did not even tell us about those assets.
16 And we are concerned that there are other assets that we do not
17 know about. Like the source of funds to pay for her apartment
18 expenses. She is drawing on the trust. She's drawing on
19 attached assets to pay these expenses supposedly because she has
20 no other way to pay them. But evidently, there are other funds
21 coming in. We know that there are other accounts for which we
22 have not seen any statements. And when you are a defendant in
23 an action where you are being sued for tens of millions of
24 dollars, your assets are subject to attachment. And we need to
25 know what they are. And the Court has already ordered

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1 attachment. And we realize the motion to confirm that
2 attachment is under submission, but if that order of attachment
3 is confirmed, then we are entitled to attach her property, and
4 we need to know what it is.

5 Now, to the point that Ms. Javeri was improperly
6 served, it's odd that she would raise that in December after
7 making every indication for the last nine months that she was
8 complying with discovery. We don't think that's accurate. But
9 even if it were accurate, we don't think it's a timely raised
10 objection.

11 THE COURT: I guess for purposes of this discussion, I
12 guess I'm more concerned, more interested in what I understood
13 from Mr. Dameron's point, which is about the scope of the order
14 and the scope of what we're talking about here. And I think Mr.
15 Dameron, I'm assuming you're talking about, I guess, paragraph 8
16 of the order, which is the discovery paragraph. And I think it
17 may be an interesting question as to how far that goes or
18 doesn't go. Of course, I suspect that Mr. Dameron's follow up
19 comment about merits discovery, I'm not quite sure. We may have
20 to have a discussion about that because merits discovery isn't
21 necessarily asset discovery. So I'm not quite sure where we're
22 going here. But certainly to the extent that there's an
23 attachment on property, and there is an agreement -- not an
24 agreement, but a dispute about payment for the upkeep of that
25 property, that may not be something where there's a discovery

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1 order currently entered, but it may be a vehicle where it's
2 appropriate to find out those issues. And we may end up in
3 exactly the same place.

4 So whether we're talking about the current scope of
5 discovery under paragraph 8 or what we might otherwise talk
6 about, we may end up having to go there if there's a dispute
7 about that. Certainly, that is something that was previewed way
8 back when, and the parties have worked out a stipulation. At
9 the same time, that stipulation may be something that's
10 contingent upon various parties' understanding of certain facts.
11 And if those understandings are altered, then may lead to a
12 dispute, where all this kind of information may become highly
13 relevant regardless of what paragraph 8 says. But for purposes
14 of right now, what can you tell me, Mr. Wedoff about Mr.
15 Dameron's reading of paragraph 8 and discovery in general in
16 this context?

17 MR. WEDOFF: Your Honor, the defendant here is Ami
18 Javeri. I think the way it's characterized, the order says what
19 it says. But having agreed to produce documents over nine
20 months and just showing up in court for discovery contents, and
21 saying, oh, this wasn't properly served in the first instance, I
22 just don't --

23 THE COURT: No, I'm not talking about service, I'm
24 talking about the scope of discovery.

25 MR. WEDOFF: Your Honor, the scope of discovery. We

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1 are seeking to know what assets she has to see what's
2 attachable. And like I raised about the Frost Trust, we didn't
3 know the Frost Trust existed, so we had to come back to court.

4 THE COURT: No, no, I get all that.

5 MR. WEDOFF: Okay.

6 THE COURT: But normally discovery is about merits,
7 it's not about post judgment, potential recovery on a judgment.
8 And so, attachment is something different. So, I assume the
9 discovery here about assets is tied to the attachment request.
10 And so, I have the attachment order. And you may be right that
11 this may be, and I think Mr. Dameron wisely segued to discovery
12 in general in the sense that he could potentially win the battle
13 today and lose the war. But I need a hook, right? And so, if
14 the hook is paragraph eight, paragraph 8 is, I wouldn't say
15 fairly limited, but it's fairly specific, let's put it that way.
16 So, I think some of this is avoidable because we'll end up
17 getting there anyway if we're having a fight about the apartment
18 upkeep, and what's appropriate or not in terms of upkeeping the
19 apartment, which leads to the question of what other assets are
20 there? And that's exactly the conversation we'd have. And then
21 we'd end up saying, well, what other assets are there? And then
22 Mr. Wedoff would ask, and we'd have a discussion about that.
23 So, I think we seem to be inevitably headed down that path
24 anyway, regardless of what paragraph 8 says. But for purposes
25 of, I think, my hook for discovery, unless I'm wrong, unless I'm

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1 missing something, Mr. Wedoff, it's paragraph 8 of that order,
2 Docket 104. So, am I wrong about that?

3 MR. WEDOFF: No, I think you're right about that, Your
4 Honor. But if you look at what we're asking for, I do think it
5 ties in with the apartments. And I'd have to look at the second
6 order because, again, this wasn't limited to the apartments.
7 There was another order dealing with the Frost Trust. But I do
8 think that's right. But I think everything we're asking for,
9 Your Honor, does tie back to the stuff. It's about real
10 estate --

11 THE COURT: No, no. You're giving me common sense
12 and --

13 MR. WEDOFF: No, no, I think you're right.

14 THE COURT: So, I'll make the following joke. The law
15 sometimes doesn't really deal in common sense. So, I have the
16 order, and I have sort of the order based sort of situation with
17 discovery. I don't have the second order in front of me. I
18 don't know what the scope of that is. Given where we are, the
19 trustee can easily make another request. And say, to the extent
20 that the existing orders don't cover these things, even as
21 something as simple as the upkeep of the apartment, we need to
22 know what the assets are or aren't in terms of understanding
23 what's appropriate or not appropriate. We've acquiesced to it
24 currently, but we may not, if there are other assets available.
25 And so, we need some disclosure. And Judge, by the way, we

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1 think this is, to the extent it's not covered by the existing
2 orders, we want you to issue another order or amend those orders
3 for the following reasons, which are the kind of things you're
4 discussing now, Mr. Wedoff.

5 So, we can do this several different ways, but I think
6 there is something to Mr. Dameron's point about looking at what
7 the order says for purposes of understanding where we are.
8 Well, I mean Mr. Wedoff, I don't know what to tell you. It's
9 the order that you all drafted and submitted, and so, I'm not
10 disagreeing with you as to where I think we're likely to go, and
11 we may be likely to go there fairly quickly. So, I think,
12 frankly, party should have a meet and confer because after this
13 conference, or we can take a break and you all can talk and I
14 can pop back on. Maybe that's even more efficient, because I
15 can't see how we're not going to get there. If we're not
16 appropriately there now, by virtue of these orders, I don't see
17 how we're not going to get there because that's why you filed an
18 attachment motion, that's why we're talking about who's paying
19 for the upkeep of the apartment, and all that. So, that's kind
20 of where I am.

21 What I understand your arguments, Mr. Wedoff, is to
22 segue to why you think as a matter of where the case, and sort
23 of big picture, your requests make sense, they're appropriate,
24 they're reasonable. And I think Mr. Dameron's point is, well,
25 this kind of attachment discovery and asset discovery isn't

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1 normal, so it's got to be order based. But I can always enter
2 another order. So, that's sort of where I find myself.

3 Now, what I'd like to do is not waste everybody's time
4 and money on those sort of things. So, I'm happy to hear
5 anything else anybody wants to say. But I'm also happy to take
6 a break and have Mr. Wedoff and Mr. Dameron discuss a sensible
7 way forward in light of my comments and where we are. Because
8 again, Mr. Dameron may be technically correct about the scope of
9 paragraph 8, but again, it's a motion away from or a request
10 away from expanding the scope of that in light of where the case
11 is in all other respects.

12 MS. ALLEN: Your Honor, if I could raise one --

13 THE COURT: Yes. Go ahead, Ms. Allen.

14 MS. ALLEN: We entered into a stipulation and order.
15 The defendant, Ms. Javeri, (inaudible) that provided in
16 paragraph 9, any discovery (inaudible) attachment order entered
17 on February 22, 2022 is not (inaudible). In addition, Ms.
18 Javeri will respond to the trustee's discovery requests and
19 complete production documents requested no later than May. This
20 is entered by (inaudible).

21 THE COURT: Right. But it's linked to paragraph 8,
22 and paragraph 8 says, in accordance with New York CPLR Section
23 6220, the trustee may take discovery, including, but not limited
24 to requests for production, interrogatories and depositions of
25 the Ithaca Trust defendants and any other person that may have

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1 information concerning the Ithaca Trust defendant's attachable
2 property or debt. And so, it is a very specific statement.

3 Again, what I'm hearing from Mr. Wedoff are the
4 reasons why this is an appropriate area of inquiry. And I think
5 I'm signaling as clearly as I can, that I don't disagree with
6 Mr. Wedoff on that point. But to the extent that there is the
7 order, at least in paragraph 8, and maybe there's something more
8 in the Frost Trust order that is broader than this, but from my
9 point of view, we're going to get there very quickly and that's
10 why I want the parties to talk about it rather than waste time
11 on motion practice. Because the trustee's requests, given the
12 context of the case, seems entirely reasonable. Even if you
13 just consider the existing dispute I have in front of me, which
14 deals with the apartment, and who's paying for maintenance of
15 the apartment, and the questions that raises or doesn't raise.
16 Because if it was based on the understanding of the trustee that
17 there weren't other assets, but the trustee can't verify that,
18 well then the trustee is going to turn and say, judge, we're
19 happy to do that as long as we don't think there's other means
20 to pay for the apartment upkeep. And we don't know that, and we
21 need those documents. And so there we are.

22 So, I'm not saying it's inappropriate request, but I
23 am saying we probably need an order. And I can order it from
24 the bench, but again, this is part of -- we're on step, in this
25 case, like 50 and we probably need to go to step 1000 to get

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1 things done. So there's a lot of other conversations. So,
2 consistent with discovery, generally, my thought would be to
3 have you all have a conversation for me to come back in say, 15
4 or 20 minutes. But again, maybe there's something else I'm
5 missing as a source of authority. And I appreciate, Ms. Allen,
6 you brought that particular order up. I think it helps a little
7 bit, but it's still tied to paragraph 8.

8 So, Mr. Wedoff, I realize I cut you off to sort of
9 give you my thinking on some of this, but I wanted to give you a
10 chance to finish any other statements that you wanted to make or
11 things you wanted to point me to.

12 MR. WEDOFF: No, Your Honor, that's okay. And I think
13 if Your Honor would indulge us, I would suggest that Mr.
14 Dameron, Ms. Allen and myself speak and reconvene at 11 a.m.
15 eastern time if that works for everyone else on the call.

16 THE COURT: All right, Mr. Dameron, what do you think
17 of that approach?

18 MR. DAMERON: Yeah, I think that works. We can do
19 that.

20 THE COURT: All right, so I think it's about a quarter
21 two now, is that right?

22 MR. WEDOFF: Yes.

23 MR. DAMERON: Yes.

24 THE COURT: All right. So, here's what I'm going to
25 do. I'm going to give you to 11:15, just so you're not crammed.

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1 And if you have extra time you can all get a cup of coffee, but
2 you have enough time to at least discuss things, and I'll jump
3 back on. I'll get off now and jump back on Zoom at 11:15, and
4 I'll talk to you all then. Thank you.

5 MR. WEDOFF: Okay, thanks.

6 MR. DAMERON: Thank you, Your Honor.

7 (Off the record.)

8 THE COURT: Hello again. We're back to discuss the
9 state of discovery. And so, what can you tell me?

10 MR. WEDOFF: Good morning, Your Honor. I think what
11 we can tell you is, we've made a little bit of progress. And
12 Mr. Dameron can jump in and correct me if I'm misstating
13 anything. What Mr. Dameron has agreed to produce are documents
14 relating to payments of expenses on the apartments that are
15 subject to attachment, and those are payments that are reflected
16 in the records that Ms. Javeri produced to the trustee. He's
17 going to produce documents, account statements or whatever
18 documentation that relates to those payments by January 6, 2023.
19 In addition, the trustee, and Ms. Javeri will endeavor to submit
20 a scheduling order on merits discovery following the Court's
21 form of order in due course. We hope to get that submitted
22 shortly, but we need to discuss internally and with one another
23 dates, etcetera. So, those two items, I think, are resolved.
24 We're going to go back and consider whether or not we need to
25 seek another order or move to compel with respect to other

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1 areas, other documents that we think maybe were covered by the
2 previous order and were not produced, or whether we need an
3 additional order. But at least with the subset of documents
4 that relate to payments on the apartment, Ms. Javeri has agreed
5 to produce those by a date certain, and we'll consider whether
6 we take any other action with the balance of the document
7 request.

8 THE COURT: All right, Mr. Dameron?

9 MR. DAMERON: Yeah, that's correct. That's correct.

10 THE COURT: All right. So, during the break I did
11 take a look at the second stipulation and order, which was
12 entered on the 13th of this month, and it did strike me that
13 paragraph 11 says, Ami Javeri agrees not to transfer any assets
14 under her direct or indirect control, including assets under the
15 direct or indirect control of a third party ordinarily takes
16 instruction for Amy Javeri for as long as the stay is provided
17 for herein are in effect. And she won't do it without the
18 express written consent of the trustee.

19 And so, my point earlier about we may not be there
20 today, but we're getting there. I mean, I don't know how you
21 really enforce or understand that paragraph without having some
22 level of transparency as to what those assets are. And so, I
23 didn't want to offer false hope. I'm looking at what I have,
24 but again, it seems pretty easy to understand where we need to
25 go, and where it's appropriate to go. I guess that's the better

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1 way to say it. So, before people spend a lot of time and money
2 on this, on filing additional motions or orders to expand the
3 scope of what's discoverable, paragraph 11 sort of does reflect
4 what the parties understand the state of play is. I don't know
5 how you can actually understand and enforce paragraph 11 of that
6 stipulation and order without having some level of transparency.
7 Actually, let me get rid of the qualifier, some level of
8 transparency. Without having transparency. So, I think people
9 need to figure that out quickly, and I think it's appropriate to
10 come up with a stipulation and order coming out of today that
11 talks about when things are going to be produced about assets.
12 That's what I would prefer to do because I'm telling you now, if
13 the trustee makes a request, I can see numerous independent
14 bases for the trustee making a request that in an abundance of
15 caution, not agreeing necessarily with my view of the world, but
16 if there's additional language that needs to be in an order,
17 they're going to get it. Because there are numerous ways in
18 which that's an appropriate request, even if it isn't currently
19 memorialized in an order.

20 So my suggestion is to not waste everybody's time and
21 effort on that. But again, I'm the option of last resort. So
22 if that's where it ends up, then that's where it ends up. And
23 so, I would think that information about the assets under her
24 direct or indirect control, information about that, is relevant
25 as of the date of the signing of this stipulation, November 30th.

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1 Again, I see your point, Mr. Dameron, in terms of what
2 the existing orders say or don't say, but I agree with the
3 trustee's view about how to understand what the needs of the
4 case are and what's appropriate. And so, I think that order is
5 coming one way or the other. So, I encourage you to try to work
6 something out so we can have order rather than chaos and save
7 people time and money. So that's what I would suggest.

8 MR. DAMERON: Thank you, Your Honor.

9 THE COURT: All right. With that, anything else that
10 we need to discuss here this morning?

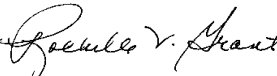
11 MR. WEDOFF No. Thank you, Your Honor.

12 THE COURT: All right, thank you very much, and happy
13 holidays to all of you and yours. Be well and stay healthy. I
14 hope to be able to stop saying the last part about stay healthy,
15 but our court just issued another thing. The district court
16 issued something saying, if you're in common areas you should
17 wear masks. So, hopefully everybody stays healthy, and do enjoy
18 the holidays. So, thanks so much. Be welcome.

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20 CERTIFICATION

21 I, Rochelle V. Grant, approved transcriber, certify that the
22 foregoing is a correct transcript from the official electronic
23 sound recording of the proceedings in this matter.

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25 December 31, 2022